

Buildings

CHAPTER 5

Amended in May of 2005

BUILDINGS¹

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¹ For state law authorizing Town to make regulations governing building of houses, see Code of Va. 15.1-15. As to architectural design control, see Chapter 4 of this Code. As to inspection of public buildings, see 7-5. As to prohibition against smoking in certain buildings, see 7-10. As to licensing of builders and developers generally, see 8-38. As to licensing of contractors, see 8-42. As to plumbing, see Chapter 12. As to sewers and sewage disposal, see Chapter 14. As to subdivisions, see Chapter 17. As to zoning, see Chapter 18.

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Buildings

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Article 1. In General

Sec. 5-1 Fire Districts -- Established²

The fire districts of the Town are hereby established as Fire District No.1 and Fire District No. 2, and are hereby based on and related to the official zoning map of the Town and any amendment thereto:

- (a) Fire District No. 1 shall consist of that area of the Town which is zoned:

C-1A Special Commercial
C-2 General Commercial
CM Limited Industrial
CMP Industrial Park

- (b) Fire District No. 2 shall include all of the areas zoned as follows:

C-1 Local Commercial
RS-10 Single-Family
RS-12.5 Single-Family
RS-16 Single-Family
RM-2 Multi-Family
RTH Town House
T Transitional Zone (Code 1962, § 3-1)

Sec. 5-2 Effect of Chapter

(a) Nothing in this chapter or in the Building Code adopted by this chapter shall be held to affect any zoning or sanitation provision of this Code or other ordinance adopted by the Town.

(b) Nothing in this chapter or in the Building Code adopted by this chapter shall be held to void any part of the Virginia Fire Hazard Act, sections 27-65 to 27-85 of the Code of Virginia, as amended, or the rules and regulations promulgated under the authority of that act. (Code 1962, § 3-2)

² As to fire protection generally, see Chapter 7 of this Code.

Vienna Town Code

Article 2. Basic Building Code

Sec. 5-3 Adopted (Amended 5-23-05)

There is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, removal, placement, demolition, equipment and maintenance of buildings and structures, including permits and penalties, that certain building code known as the Fairfax County Building Code ə 61-1-1 et seq., which includes the adoption of the Virginia Uniform Statewide Building Code, including standards and amendments as adopted by the Virginia State Board of Housing and Community Development as part of the Virginia Uniform Statewide Building Code of which not less than two copies are filed and available in the office of the Town Clerk and may be viewed during the hours between 8:00 A.M. and 4:30 P.M., Monday through Friday, inclusive, except holidays and the same are hereby adopted and incorporated as fully as if set out at length herein.

Sec. 5-4 Definitions

For the purposes of the Building Code adopted by this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Building Official. The Director of Public Works or his authorized agent and the Fairfax County Building Inspector as authorized by the Town.

Department of Building Inspection. The Department of Public Works and the office of the Building Inspector of Fairfax County as authorized by the Town.

Administrative Authority. Whenever the words Administrative Authority appear in this Code they shall mean the Building Official.

Board of Appeals. Whenever the words Board of Appeals appear, they shall mean the Fairfax County Board of Appeals as constituted in ə 127 of the Virginia Uniform Statewide Building Code.

Farm Building. Buildings located or to be located on land used for agricultural purposes for use in the production and storage of agricultural products, the housing of farm animals and the housing and storage of tools, equipment and machinery used in agricultural operations, but not including such buildings or portions thereof which are used or are to be used for human habitation.

Municipality, Name of Municipality or City. The Town of Vienna, Virginia.
(Code 1962, ə 3-3)

Article 3 Numbering of Houses

Sec. 5-5 Uniform System Established; Compliance with Article.

There is hereby established a uniform system of numbering houses and buildings fronting on all streets, avenues and public ways in the Town. All houses and buildings shall be numbered in accordance with the provisions of this article. (Code 1962, § 9-1)

Sec. 5-6 Assignment of Numbers; Use of Numbers Required; Numbering Map.

There shall be assigned to each house and building located on any street, avenue, alley or highway in the Town, its respective number under the uniform system provided for in this article. When each house and building has been assigned its respective number or numbers the owner, occupant or agent shall place or cause to be placed upon each house or building controlled by him the number assigned under the uniform system provided for in this article and in accordance with the Numbering Map of Vienna, approved March 17, 1958, together with all amendments subsequently adopted, filed in the office of the Town Clerk. (Code 1962, § 9-2)

Sec. 5-7 Placement of Numbers.

Each house or building number shall be placed within twenty days after the assigning of the proper number. The numbers shall be conspicuously placed immediately above, on or at the side of the proper door of each building so that the number can be seen plainly from the street. Whenever any building is situated more than fifty feet from the street line, the number of such building shall be conspicuously displayed at the street line, near the walk, driveway or common entrance to such building and upon the gate post, fence, tree, post or other appropriate place so as to be easily discernible from the sidewalk. (Code 1962, § 9-3)

Sec. 5-8 Multiple Use of Same Number.

Where only one number can be assigned to any house or building, the owner, occupant or agent of such house or building who shall desire distinctive numbers for the upper or lower portion of any such house or building, or for any part of such house or building, fronting on any street shall use the suffix A, B, C, etc. as may be required. (Code 1962, § 9-4)

Sec. 5-9 Obtaining Numbers for New Buildings, Number Required Prior to Issuance of Building Permit.

Whenever any house, building or structure shall be erected or located in the Town, in order

to preserve the continuity and uniformity of numbers of the houses, buildings and structures, it shall be the duty of the owner to procure the correct number for the property as designated from the Director of Public Works or his authorized agent, and immediately to fasten the number so assigned upon the building as provided by this article. No building permit shall be issued for any house, building or structure until the owner has procured from the Director of Public Works or his authorized agent the official number of the premises. (Code 1962, § 9-5)

Article 4. Heating, Air Conditioning,
Refrigeration and Ventilation.

Sec. 5-10 Title and Scope

This Article shall be known as the Vienna Heating, Air Conditioning, Refrigeration and Ventilation Code, and may be so cited.

Sec. 5-11 Adoption of County Code.

There is hereby adopted by the Town Council of Vienna, Virginia, for the purpose of safeguarding persons and property from hazards resulting from the design and installation of mechanical systems, including heating systems, ventilating systems, cooling systems, steam and hot water systems, process piping boilers and pressure vessels, appliances utilizing gas, liquid or solid fuel, chimneys and vents, mechanical refrigeration systems, fireplaces, barbecues, that certain Heating, Air Conditioning, Refrigeration and Ventilation Code known as the Fairfax County Heating, Air Conditioning, Refrigeration and Ventilation Code, adopted by Fairfax Board of Supervisors on Monday, August 6, 1973 which includes the adoption of the BOCA Basic Mechanical Code, including standards and amendments as adopted by the Virginia State Board of Housing as part of the Virginia Uniform Statewide Building Code. Not less than five (5) copies of this Code have been and are now on file in the office of the Town Clerk in the Vienna Town Hall and shall be available for inspection between the hours of 8:15 A.M. and 4:45 P.M., Monday through Friday inclusive except holidays, and the said BOCA Basic Mechanical Code is hereby adopted and incorporated herein as fully as if set out in length herein. From the date this Chapter becomes effective, its provisions shall be controlling as to all matters contained therein.

Vienna Town Code

Article 5 Penalties
(Adopted 3-7-77)

Sec. 5-12 Violation - Penalties.

Any person who shall violate a provision of this Chapter, or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Chapter, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 or by imprisonment not exceeding twelve (12) months, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Sec. 5-13 Abatement of Violation.

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises or to stop an illegal act, conduct, business or use of a building or structure in or about any premises.

